

Declaration, Petition and Power of Attorney For Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

AN APPARATUS AND METHOD FOR CARRYING OUT ANALYSIS OF SAMPLES
the specification of which

(check one)

☐ is attached hereto.

☒ was filed on March 21, 1997 as

Application Serial No. 08/809,402

and was amended on _____
(if applicable)

I do not know and do not believe that the subject matter of this application was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an issued inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months prior to the date of this application; that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, that no application for patent or inventor's certificate on the subject matter of this application has been filed by me or my representatives or assigns in any country foreign to the United States, except those identified below, and that I have reviewed and understand the contents of the specification, including the claims as amended by any amendment referred to herein.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Check one:

☒ no such applications have been filed.

☐ such applications have been filed as follows

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Country	Application Number	Date of Filing (month,day,year)	Priority Claimed Under 35 USC 119
U.K.	9418981.8	21 09 94	<input checked="" type="checkbox"/> Yes No <input type="checkbox"/>
			<input type="checkbox"/> Yes No <input type="checkbox"/>
			<input type="checkbox"/> Yes No <input type="checkbox"/>
			<input type="checkbox"/> Yes No <input type="checkbox"/>
			<input type="checkbox"/> Yes No <input type="checkbox"/>

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

CLAIM FOR BENEFIT OF U.S. PROVISIONAL APPLICATION(S)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application. As to subject matter of this application which is common to my earlier United States application, if any, described below, I do not believe that the same was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to said earlier application, or in public use or on sale in the United States more than one year prior to said earlier application, that the said common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States on an application, filed by me or my legal representatives or assigns more than twelve months prior to said application and that no application for patent or inventor's certificate on said subject matter has been filed by me or my representatives or assigns in any country foreign to the United States except those identified herein.

(Application Serial No.)

(Filing Date)

(Status)
(patented,pending,aband.)

(Application Serial No.)

(Filing Date)

(Status)
(patented,pending,aband.)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

John A. Lahive, Jr.	Reg. No. 19,788	Jeremiah Lynch	Reg. No. 17,425
W. Hugo Liepmann	Reg. No. 20,407	Amy E. Mandragouras	Reg. No. 36,207
James E. Cockfield	Reg. No. 19,162	Elizabeth A. Hanley	Reg. No. 33,505
Thomas V. Smurzynski	Reg. No. 24,798	Anthony A. Laurentano	Reg. No. 38,220
Ralph A. Loren	Reg. No. 29,325	Jane E. Remillard	Reg. No. 38,872
Thomas J. Engellenner	Reg. No. 28,711	Mark A. Kurisko	Reg. No. 38,944
Giulio A. DeConti, Jr.	Reg. No. 31,503	Beth E. Arnold	Reg. No. 35,430
Ann Lamport Hammitte	Reg. No. 34,858	Jean M. Silveri	Reg. No. 39,030
Paul Louis Myers	Reg. No. 35,965	Matthew P. Vincent	Reg. No. 36,709
Michael I. Falkoff	Reg. No. 30,833	Lawrence E. Monks	Reg. No. 34,224
John V. Bianco	Reg. No. 36,748		

Send Correspondence to: Anthony A. Laurentano, Esq.

Lahive & Cockfield, 60 State Street, Boston, MA 02109

Direct Telephone Calls to: (name and telephone number)

Anthony A. Laurentano, Esq.

(617) 227-7400

Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	JOHN FRANCIS GORDON
Inventor's signature	Date
<i>John Gordon</i>	<i>16th April 1997.</i>
Residence	5 PARK CRESCENT, TORRANCE, GLASGOW G64 4BH, UNITED KINGDOM
Citizenship	UNITED KINGDOM
Post Office Address (if different)	

REVOCATION/APPOINTMENT OF POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Docket Number (Optional)

18950-32

In re Application of

Gordon, John Francis

Application No.

Filed

09/156,475

September 18, 1998

Group Art Unit

Examiner

2877

Z. Smith

Assistant Commissioner for Patents
Washington, DC 20231

☒ I hereby revoke all previous powers of attorney or authorization of agents in the above identified application.

☐ I hereby revoke less than all previous powers of attorney or authorization of agents in the above application. Revocation applies to the following person(s): (give name(s) and registration number(s))

☒ I/we hereby appoint the following person(s) as my/our attorney(s) or agent(s) to prosecute said application, and to transact all business in the Patent and Trademark Office connected therewith: (give name(s) and registration number(s))

D.J. Oldenkamp, Reg. 29,421
W. Poms, Reg. 18,782
G.P. Smith, Reg. 20,142
H.D. Jastram, Reg. 19,777
C.A.S. Hamrick, Reg. 22,586
G.E. Lande, Reg. 22,222
A.C. Rose, Reg. 17,047
L.J. Bovasso, Reg. 24,075
C. Darrow, Reg. 30,166
M.D. Harris, Reg. 26,690
K.A. MacLean, Reg. 31,118

M.E. Brown, Reg. 28,590
A.P. Block, Reg. 35,450
S.R. Hansen, Reg. 38,486
D.N. Larson, Reg. 29,401
J.W. Inskeep, Reg. 33,910
J. Boyce, Reg. 40,920
C. Berman, Reg. 29,249
S.M. Parker, Reg. 36,233
R.S. Tamura, Reg. 43,179
S. Oh, Reg. P45,583
M.B. Farber, Reg. 32,612

R.O. Guillot, Reg. 28,832
E.C. Chang, Reg. 37,593
J.D. Voelzke, Reg. 37,957
C.J. Lervick, Reg. 35,244
C. Rosenberg, Reg. 31,464
G.B. Wood, Reg. 28,133
L.C. Cullman, Reg. 39,645
M.K. Bosworth, Reg. 28,186

☒ The correspondence address is NOT affected by this communication.

☒ Change the correspondence address and direct all future correspondence to:

David J. Oldenkamp, Esq.
Oppenheimer Wolff & Donnelly LLP
2029 Century Park East, Suite 3800
Los Angeles, CA 90067

at the:

☐ Applicant(s) (signature of all applicants are required).
☒ Assignee of record of the entire interest.

Certification under 37 CFR 3.73(b)

☒
☐

is enclosed.
has already been filed in this application.

Signature

Date

Address: THE UNIVERSITY COURT OF.
THE UNIVERSITY OF GLASGOW
UNIVERSITY AVENUE
NO. 2 THE SQUARE
GLASGOW G12 8QQ
UNITED KINGDOM

Typed or printed name

SOLE OR JOINT

A S S I G N M E N T

WHEREAS, I, JOHN FRANCIS GORDON, of 5 Park Crescent, Torrance, Glasgow G64 4BH, United Kingdom, have invented an APPARATUS AND METHOD FOR CARRYING OUT ANALYSIS OF SAMPLES for which I am about to make application for Letters Patent of the United States of America, and

WHEREAS, THE UNIVERSITY COURT OF THE UNIVERSITY OF GLASGOW, a corporation of the United Kingdom, having its principal place of business at University Avenue, No. 2 The Square, Glasgow G12 8QQ, United Kingdom, desires to acquire the entire right, title and interest in and to said invention:

APPARATUS AND METHOD FOR CARRYING OUT ANALYSIS OF SAMPLES

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, JOHN FRANCIS GORDON, by these presents do sell, assign and transfer unto said corporation, its successors and assigns, all right, title and interest in the United States of America and all foreign countries in and to said invention as described in the patent application, executed by me on the 16th day of April, 1997, (and I hereby authorize my attorneys, authorized to prosecute said application to here insert the filing date and serial number of the said application, as soon as it is known, Serial No. 08/809,402, filed March 21, 1997), and to any improvements on said invention heretofore or hereafter made while I am in the employ of said corporation, and any divisions or continuations of said application, and all Patents, United States and foreign, granted upon any such applications or for the inventions described therein, and any reissues or extensions of said Patents; and I hereby authorize and request the Commissioner of Patents to issue all Patents on said United States applications to said corporation as assignee thereof.

FOR SAID CONSIDERATIONS, I hereby covenant and agree that I am the owner of the full title herein assigned and have the right to assign the same, and agree that I will communicate to said corporation or its representatives, any facts known to me respecting said invention or inventions and testify in any legal proceedings relating thereto when called upon, and will sign all instructions and documents and render such assistance which in the judgement of said corporation is necessary to vest in it and protect the legal title sought to be assigned.

Date

16th April 1997

JOHN FRANCIS GORDON

John Gordon

Applicant or Patentee: John Frar Gordon ney's
Serial or Patent No.: (based on GB95/02186) L No.: CFW-006US
Filed or Issued: filed in the United States as U.S. Serial No. 08/809,402
Title: APPARATUS AND METHOD FOR CARRYING OUT ANALYSIS OF SAMPLES

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION THE UNIVERSITY COURT OF THE UNIVERSITY OF GLASGOW
ADDRESS OF NONPROFIT ORGANIZATION University Avenue, No. 2 the Square, Glasgow G12 8QQ, United Kingdom

TYPE OF NONPROFIT ORGANIZATION

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATE _____)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention entitled

APPARATUS AND METHOD FOR CARRYING OUT ANALYSIS OF SAMPLES

by inventor(s) John Francis Gordon
described in

- ☐ the specification filed herewith.
☒ application serial no. (based on PCT/GB95/02186), filed herewith in the US
☐ patent no. _____ issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING MR DUGALD MACKIE
TITLE IN ORGANIZATION OF PERSON SIGNING SECRETARY OF THE UNIVERSITY COURT
ADDRESS OF PERSON SIGNING UNIVERSITY OF GLASGOW, GLASGOW G12 8QQ

SIGNATURE

25 APRIL 1997

DATE